

AB 2588 "Hot Spots" Frequently Asked Questions

It is anticipated that changes to the "Hot Spots" regulation will be brought to the Air Resources Board for consideration in 2006. This FAQ will help answer questions regarding those proposed changes. This document will be regularly updated with questions received from the public and is available here: <http://www.arb.ca.gov/ab2588/faq.htm>. If you have general questions about "Hot Spots" requirements, or about the regulatory process, please contact Mr. Chris Halm, (916) 323-4865, or chalm@arb.ca.gov.

1. Q: Who is subject to the AB 2588 "Hot Spots" requirements?

A: *Any business/facility in California that emits >10 tons/yr of organic gasses, PM, NOx, or SOx, or smaller facilities included in Appendix E of the Emission Inventory Criteria and Guidelines Regulation like gas stations, dry cleaners, and chrome platers, are subject to "Hot Spots". Appendix E can be found here: <http://www.arb.ca.gov/ab2588/2588guid.htm>.*

2. Q: Who enforces the "Hot Spots" Law?

A: *The local air district enforces all "Hot Spots" requirements. ARB and OEHHA provide guidance. If you have specific questions about a facility, please contact your local air [district](#).*

3. Q: How are changes to "Hot Spots" made?

A: *The State legislature passed legislation in 1987 (AB 2588, Connelly) that requires the ARB to adopt a regulation that specifies how local air districts implement the AB 2588 "Hot Spots" Law. The Guidelines regulation has been updated several times over the past 15 years and implements the intent of the Legislature. The Guidelines regulation describes which pollutants must be reported, which types of facilities must report those emissions, and how those emissions must be reported.*

4. Q: What new changes are being proposed?

A: *A new reporting threshold for diesel engines will be proposed that would replace the 3,000 gal/yr diesel fuel usage threshold. This could impact thousands of facilities in California, including facilities previously exempted from "Hot Spots", and so ARB staff will propose a method to streamline the reporting and risk evaluations. The proposed changes will be made available within a few weeks here: <http://www.arb.ca.gov/ab2588/2588guid.htm>. Sign up for our email listserve to receive a public workshop announcement here: <http://www.arb.ca.gov/listerv/ab2588.htm>. These proposed changes will not go into effect until the Board adopts those changes during a public hearing tentatively scheduled for 2006.*

5. Q: When could these new requirements become applicable?

A: *All of the local air districts are currently evaluating emissions and risk from diesel engines and are preparing for the formal "Hot Spots" implementation period likely to be in the 2006-2007 timeframe after Board adoption. Districts will likely have the option of using the 2006 or 2007 emissions estimate for purposes of preparing health risk assessments.*

6. Q: Are there any emission limits under "Hot Spots"?

A: *Not exactly. As long as emissions from the facility do not significantly impact public health, there are no emission limits. However, other permits and district rules may apply. Speak with your local air district to get more information on local rules.*

7. Q: Are portable engines subject to "Hot Spots"?

A: *Not usually. Portable equipment used during construction and non-routine operations are not subject to "Hot Spots". However, equipment that is used on a 'routine and predictable' basis is subject to "Hot Spots", regardless of whether it has wheels, skids, or is moved between sites. Any facility operator that moves an engine solely to circumvent the "routine and predictable" definition in "Hot Spots" may be subject to penalties.*

8. Q: What if my equipment is not permitted?

A: *If the facility is subject to "Hot Spots", it does not matter if the equipment is permitted. All sources subject to the regulation must be included in the emission inventory.*

9. Q: Do facilities have to calculate the emissions from motor vehicles?

A: *No, emissions from motor vehicles are not subject to "Hot Spots".*

10. Q: Which pollutants must be reported?

A: *Check with your local air district, and see Appendix A (List of Substances that must be reported) and Appendix C (Responsibilities of all Facilities) of the EIC&GR.*

11. Q: Is there a remote location exemption?

A: *No, all facilities subject to "Hot Spots" must report their emissions. However, because "Hot Spots" is risk based, emissions that occur far away from people and residences will likely not impact public health and a risk assessment will probably not be necessary.*

12. Q: What happens when pollutants are assigned a new health value?

A: *OEHHA regularly adopts new health values when data becomes available. When a new health value is adopted, OEHHA reviews new risk assessments and advises the district to include the new health value in the risk assessment. The ARB plans to update the EIC&G regulation and facilities must use the new health values in all subsequent health risk assessments. Until the ARB adopts a new health value, it is at the discretion of the local air district to require the use of those health values.*

13. Q: Are cumulative emissions from multiple facilities addressed under "Hot Spots"?

A: *Not specifically. The "Hot Spots" regulation requires that the cumulative emissions from all equipment and pollutants at a single facility be evaluated, but does not directly address emissions from multiple facilities within a given area.*

14. Q: How can I get more information about "Hot Spots"?

A: *ARB compiles emissions data for all facilities subject to "Hot Spots". This information is publicly available on our Facility Search Tool here: <http://www.arb.ca.gov/app/emsinv/facinfo/facinfo.php>. General information about "Hot Spots" is here: <http://www.arb.ca.gov/ab2588/ab2588.htm>. Each district is required to publish an annual report. Many of these reports are available here: <http://www.arb.ca.gov/ab2588/reports.htm>. To receive an email listserve notice when changes occur to the program, please sign up here: <http://www.arb.ca.gov/listserv/ab2588.htm>.*